

Section 460 - Signs

460.01 Purpose and Intent. The purpose of this Section is to protect and promote the general welfare, health, safety and order within the City through the establishment of a comprehensive and impartial series of standards, regulations and procedures governing the erection, use and display of devices, signs or symbols serving as visual communicative media to persons situated within or upon public rights-of-way or properties.

The provisions of this Section are intended to encourage creativity, a reasonable degree of freedom of choice, an opportunity for effective communication, and a sense of concern for the visual amenities on the part of those designing, displaying or otherwise utilizing needed communicative media of the types regulated by this Section; while at the same time, assuring that the public is not endangered, annoyed or distracted by the unsafe, disorderly, indiscriminate or unnecessary use of such communicative facilities.

460.02 Terms and Definitions.

Subd. 1 Terms. The following terms have the meanings provided by Section 850 of this Code:

- A. Accessory Use.
- B. Building.
- C. District. (References in this Section to a District, shall mean that district as established by Section 850.)
- D. Frontage.
- E. Lot.
- F. Principal Building.
- G. Shopping Center.
- H. Structure.
- I. Through Lot.
- J. Tract.

Subd. 2 **Definitions.** Unless the context clearly indicates otherwise, the following words and phrases have the meanings given in this Section:

Abandoned Sign. A sign which no longer identifies or advertises a bona-fide business, lessor, lessee, service, owner, building occupant or activity, or a sign for which no legal owner can be found.

Accessory Sign. A sign relating in its subject matter to the lot or tract on which it is located, or to products, accommodations, services or activities on the premises on which it is located.

Address Sign. Postal identification numbers only, whether written or in numeric form.

Area Identification Sign. A sign which identifies the name of a neighborhood, a residential subdivision, a multiple residential complex consisting of two or more principal buildings, a shopping center or area, an office complex consisting of two or more principal buildings or any combination of the above that could be termed an area.

Awning or Marquee. A roof-like structure of rigid or semi-rigid materials attached to and extending from the facade of a principal building.

Banners and Pennants. Devices which resemble flags and are of cloth or plastic-like consistency, and may be square, rectangular or triangular in shape.

Bench Sign. A sign which is affixed to a bench.

Building Identification Sign. A freestanding sign or wall sign bearing the name of a building or occupant in a residential building or the name of a tenant or business in a non-residential building.

Canopy. A roof-like structure, located on the same lot as the principle building, that is either freestanding or attached to the principal building.

Church Directional Sign. A sign which bears the address and name of a church and directional arrows pointing to a church location.

Clear View Zone. A triangle formed by connecting the three following points: the point of intersection of the extensions of the curb lines or edge of the traveled portion of each street or drive aisle, and a point on each curb line 30 feet from the aforementioned point of intersection.

Flag. The official flag of any country, state or municipality.

Freestanding Sign. A self-supported sign which is placed in the ground and not affixed to any part of any structure. Freestanding signs include monuments and area identification signs.

Governmental Sign. A sign which is erected by a governmental unit for the purpose of directing or guiding traffic, or providing public information. Governmental signs include community bulletin boards, area identification sign directions, or banners erected by the City of Edina.

Height. The distance measured from the average ground elevation adjoining a freestanding sign to the highest point of a freestanding sign.

Illuminated Sign. Any sign which is illuminated by an artificial light source.

Monument. A structure built on grade, not supported by poles, posts or a pylon, which is constructed of brick, stone or stucco and to which a sign is affixed.

Motion Sign. Any sign which revolves, rotates or has any moving parts.

Nameplate Sign. A sign which bears the name or address of the occupants of the building.

Non-Accessory Sign. A sign other than an accessory sign.

Non-Commercial Opinion Sign. Any sign which is not a commercial sign and which expresses an opinion which is deemed by the State or federal courts to have greater protection under the constitution of the United States or the State than a commercial sign. For purposes of this definition a commercial sign is any sign which advertises or identifies a product, business, building, place, service, event or any other matter or thing of a commercial nature, even though the matter or thing may be related to or involve a non-profit organization.

Non-Conforming Sign. A sign which lawfully existed prior to the adoption of this Section but does not conform to the requirements of this Section.

Permanent Sign. Any sign which is not a temporary sign.

Portable Sign. A sign so designed as to be movable from one location to another which is not permanently attached to the ground or any structure.

Projecting Sign. Any sign or any part thereof which extends by more than 12 inches over public property, a street right-of-way, or public sidewalk. Signs integral to awnings, canopies, or marquees are not projecting signs.

Roof Sign. Any sign erected upon a roof or projecting above the eave line or a parapet of a building to which it is affixed.

Sign. Any letter, word or symbol, logo, device, banner, pennant, beacon, searchlight, poster, picture, statuary, reading matter or representation in the nature of an advertisement, announcement, message, or visual communication whether painted, posted, printed, affixed or constructed, which is displayed outdoors for informational or communicative purposes.

Sign Area. Sign area shall mean (i) the smallest single rectangle which can be made to circumscribe the letters, message, symbol, logo, or figure inscribed into or directly onto a building or a monument and not affixed to a sign panel, or (ii) the smallest single rectangle which can be made to circumscribe a sign panel which bears the letters, message, symbol, logo, or figure.

Sign Panel. The display surface upon which the message is painted or inscribed and which is attached to a building or structure.

Temporary Sign. A sign which is erected or displayed for a limited period of time. Such temporary signs shall include those listed in Subsection 460.03.

Traffic Directional Sign. A sign which is erected on private property by the owner of such property for the purpose of guiding vehicular and pedestrian traffic. Such sign bears no advertising information.

Wall Sign. A sign affixed to the wall of any building including projecting signs and signs affixed to marquees, awnings, or canopies.

460.03 General Provisions Applicable to all Zoning Districts.

Subd. 1 Construction, Maintenance and Repair. All signs shall be constructed in such a manner and of such material that they shall be safe and substantial, and in full compliance with all requirements of this Code. Free standing signs requiring footings or wall signs subject to wind loads must comply with the provisions of Section 410 of the City Code. All signs shall be maintained in a safe, presentable condition and shall be structurally sound. Defective parts shall be promptly replaced

Subd. 2 Illuminated Signs. Illuminated signs shall comply with the following requirements:

A. No sign shall change in either color or in intensity of light more frequently than once per hour, except signs giving time, date, temperature or weather information.

B. All incandescent bulbs or fluorescent tubes, except neon or fiber optic light sources, shall be shielded with an opaque or translucent material.

C. No sign which is visible from a residential district located within 200 feet of the sign shall be illuminated between 10:00 P.M. and 7:00 A.M.; provided, however such signs may be illuminated at any time when the use identified by the sign is open for business.

D. The Planner may specify additional restrictions regarding the hours of illumination as a condition to the issuance of a permit.

Subd. 3 Placement. All signs shall comply with the following requirements:

A. No sign shall be placed within any street right-of-way other than, i) governmental signs which are official traffic regulatory signs or, ii) campaign signs placed pursuant to Subd. 4 of this Subsection.

B. No freestanding sign or any portion thereof other than governmental signs shall be placed within 20 feet of the traveled portion of any public street provided that campaign signs placed pursuant to Subd. 4 of this Subsection may be placed to within 10 feet of the traveled portion of a public street.

C. No sign shall be erected or placed within 50 feet of any regulatory sign, warning sign, traffic sign, or signal, or crosswalk unless the Planner concludes it will not interfere with or confuse drivers or pedestrians.

D. No sign shall be erected or placed in the clear view zone. Provided, however, that a freestanding sign may be erected if:

1. At least ten feet of clearance is maintained between the ground and the bottom of the sign and the sign is supported by a single pylon of 12 inches or less in diameter,
2. The sign and all supporting materials do not exceed three feet in height as measured from the highest point on the curb to the highest point on the sign, or
3. The sign is not placed within the street right-of-way.

Subd. 4 **Non-commercial Signs.** Non-commercial signs shall comply with the following requirements:

A. All non-commercial signs of any size may be posted in any numbers from 46 days before the state primary in a state general election year until 10 days following the state general election subject to the applicable provisions of M.S. 211B.045. Such non-commercial signs shall conform with the provisions of Subd. 3 of Subsection 460.03. No such sign shall be placed upon the right-of-way without the consent of the abutting property owner.

B. Campaign signs posted in connection with the elections held at times other than as regulated by M.S. 211B.045 are subject to the following:

1. Maximum Size - six square feet.
2. Maximum Number - one sign for each candidate per frontage.
3. Maximum Duration - 60 days prior to the election until seven days following the election.
4. Location - Such campaign signs shall conform with the provisions of Subd. 3 of Subsection 460.03. No such sign shall be placed upon the right-of-way without the consent of the abutting property owner.

Subd. 5 **Non-Commercial Opinion Signs.** Subject to the provision of Subsections 460.03 and 460.04, non-commercial opinion signs are permitted as follows:

A. In all residential districts subject to the following restrictions:

	<u>R-1 and R-2</u>	<u>All other Districts</u>
1. Maximum size	6 sq. ft.	15. sq. ft.
2. Maximum number	1 per lot	1 per lot
3. Maximum height	6 feet	6 feet

B. All non-residential districts subject to the following restrictions:

1. Maximum size 16 sq. ft.
2. Maximum number 1 per lot

3. Maximum height 6 feet

Subd. 6 **Orientation of Signs on Corner Lots or Through Lots.** When more than one sign is permitted due to multiple frontages, each permitted sign must be oriented toward its respective frontage. It is the intent herewith to prohibit lots with multiple frontages from combining sign rights so as to erect larger signs or additional signs that are oriented to only one frontage.

Subd. 7 **Temporary Construction Signs - New Buildings.** One temporary construction sign may be installed upon a construction site of a new building with ten or more dwelling units or any new non-residential principal use building denoting the name of the owner, architect, engineer, contractor and lender, provided such sign does not exceed 32 square feet in area. Temporary construction signs measuring six square feet or less in sign area are permitted for new residential buildings of less than ten dwelling units. Temporary construction signs shall be removed upon issuance of a certificate of occupancy for any part of the building. Freestanding signs shall not exceed ten feet in height.

Subd. 8 **Temporary For Sale Signs - Existing Buildings and Vacant Land.** A temporary sign may be erected for the purpose of selling or leasing a residential or non-residential building or selling vacant land provided:

A. Such signs shall not exceed 16 square feet for non-residential buildings, residential buildings of ten or more dwelling units, or vacant land. Provided, however, such signs may be increased to not more than 32 square feet if the lot or tract abuts a highway with a speed limit of 50 miles per hour or more and the sign is oriented to such highway. Temporary signs for the purpose of selling or leasing one vacant lot in the R-1 or R-2 Districts or a residential building of less than ten dwelling units shall not exceed six square feet.

B. Only one such sign shall be permitted per building or vacant lot or tract. If the building is one of two or more buildings which together comprise a tract, then only one sign per tract shall be permitted.

C. Signs for non-residential projects shall be located no closer than 100 feet to any pre-existing residence.

D. Freestanding signs shall not exceed ten feet in height.

E. All sign surfaces including legs and support members shall be painted and maintained in a crack free and blister free condition.

Subd. 9 **Building Leasing or Rental Signs.** The maximum allowed sign area of a building identification sign or an area identification sign may be increased by 20 percent or 16 square feet, whichever is less, for the purpose of displaying information regarding the rental or leasing of space or dwelling units. Such rental or leasing information shall:

A. Be integral to the building identification or area identification sign.

B. Be constructed of the same materials and colors as the building identification or area identification sign.

If the building identification sign or area identification sign area is increased in accordance with this Subdivision, then no temporary sign as permitted by Subd. 8 of this Subsection shall be placed on the property.

Subd. 10 **Multi-Faced Signs.** The total sign area of any multi-faced sign shall not exceed twice the permitted area of a single-faced sign. The angle of incidence between any two faces of a multi-faced sign shall not exceed 60 degrees.

Subd. 11 **Traffic Directional Signs.** Traffic directional signs shall not exceed six square feet in area.

Subd. 12 **Projecting Signs.** Projecting signs shall be permitted only in the Planned Commercial District, subject to the following restrictions:

A. The maximum sign area shall be 20 square feet per facing.

B. Not less than eight feet of clearance shall be provided between the sidewalk elevation and the lowest point of the projecting sign.

C. Signs shall project from the face of the building no more than the lesser of (i) one-third of the sidewalk width, or (ii) six feet. Sidewalk width shall be measured perpendicular to the face of the building at the proposed sign location.

D. The maximum sign area of wall signs located on the same building of the projecting sign shall not exceed five percent of the wall area.

E. Proof of insurance and indemnification shall be provided in accordance with Subd. 5 of Subsection 460.06.

Subd. 13 **Awnings, Canopies, or Marquees.**

A. Awnings, canopies or marquees shall be considered as part of the wall area and thus shall not warrant additional sign area.

B. Awnings, canopies or marquees constructed of transparent or translucent material shall be deemed to be a sign panel for purposes of determining sign area.

Subd. 14. **Address Signs.**

A. Address signage shall be required on all buildings and on other structures if required by the Building Official in all districts, and must be clearly visible from the street. Address signs on the first level of all buildings shall not exceed six square feet. For buildings two to four stories in height in nonresidential zoning districts, and nonresidential buildings in the Mixed Development District districts, address signs shall not exceed 20 square feet. For buildings greater than four stories in nonresidential zoning districts and nonresidential buildings in the Mixed Development districts, address signs shall not exceed 40 square feet. Address signs in all other

districts shall not exceed six square feet. Address signs shall not be counted for the purpose of determining the maximum allowed sign area for a building. The Building Official shall assign address numbers to buildings and may assign address numbers to other structures. A permit shall be required for address signs in excess of six square feet.

B. All new, altered and existing buildings and other structures, if required by the Building Official, shall comply with the following:

1. General Requirements.

a. Numbers or addresses shall be placed on all buildings and other structures, if required by the Building Official in such a position as to be plainly visible and legible from the street or road fronting the property. The numbers shall contrast with their background. Content, size and location of numbers shall be approved by one of the following: Building Official, appointed Building Inspectors or Plan Reviewers, Fire Chief.

b. Requirements are for new and existing construction.

c. Numbers shall not be in script.

d. Administrative authority may require additional numbers if deemed necessary.

e. Numbers shall not be obscured.

f. Address numbers shall be installed prior to final approval of the building permit by the Building Department.

g. Monument signs with address numbers or address monuments shall be provided when the building address numbers are not visible from the street.

1) Residential address monuments shall have a minimum 4" high address numbers a minimum of 48" above grade.

2) Commercial address monuments shall have a minimum 6" high address numbers a minimum of 48" above grade.

2. Residential Requirements (2 or less dwelling units).

a. Minimum height of numbers shall be 4".

b. Minimum height above finished grade shall be 60".

c. If a building is not visible from the street, additional numbers are required at the driveway entrance. Size and location must be approved.

3. Commercial Requirements.

a. Minimum number height for premises identification shall be 8".

b. Minimum height above grade shall be 120".

c. Multi-tenant buildings with individual exterior tenant entrances.

- 1) The range of address numbers within the building shall be provided on the building in accordance with the General Requirements of this Section and the minimum height of numbers shall be 12".
 - 2) Each tenant shall have a separate address number. Minimum height of numbers shall be 6".
 - 3) Address numbers shall be on each tenant main entrance and on all back doors.
4. Multi-tenant buildings with interior tenant entrances.
- a. Individual tenants shall not have individual address numbers on the building exterior. Tenant identification within each building is subject to approval by the Building Official and Fire Chief.
 - b. Address numbers may be located on a directory entry sign, however, additional address numbers are required on the building in accordance with this Section.
5. Malls. Minimum four inch high tenant address numbers with a minimum 5/8" stroke will be required on the front and back of all tenant spaces at entrance/exit doors. The front numbers must be of contrasting color from the background, and as near as possible to the upper right corner of the tenant space. The number at the backs of tenant spaces must comply with the General Requirements, be located on the rear doors(s) and be six feet above finished floor.
- Subd. 15 **Bench Signs.** Bench signs shall be permitted only at bus stops and shall not be permitted in residential districts.
- Subd. 16 **Church Directional Signs.** Church directional signs shall be permitted in all districts provided the total area of such signs shall not exceed four square feet per facing.
- Subd. 17 **Signs Located on Interiors of Buildings.** Signs which are located on the interior of a building and are not visible from outside of said building shall be exempt from the provisions of this Section and shall not require permits or payment of fees.
- Subd. 18 **Temporary Subdivision and Rezoning Signs.** Temporary subdivision and rezoning signs, as required by Sections 810 and 850 of this Code, shall be exempt from the provisions of this Section and shall not require permits or payment of fees.
- Subd. 19 **Temporary Garage and Estate Sale Signs.** Signs promoting occasional sales in residential areas, as permitted in Subsection 850.07, Subd. 12 of this Code, may be placed on the lot where the sale is taking place provided:
- A. Such signs shall not exceed six square feet.
 - B. One sign is permitted per frontage.
 - C. Such signs shall be removed at the end of the sale.
- Subd. 20 **Home Security Signs.** Signs which advise of home security systems may be erected provided:

A. Such sign shall not exceed one square foot.

B. One sign is permitted per frontage.

Subd. 21 **Monuments.** Monuments shall not exceed eight feet in height.

Subd. 22 **Banners and Pennants.** Banners and pennants are permitted only as follows:

A. During a one week period of time on the occasion of the initial opening of a new business.

B. As an integral part of the design of a building. In such cases, the banner must be made of a durable material and designed to be permanently affixed to the building.

Subd. 23 **Flags.** Not more than three flags may be displayed on each lot or tract.

Subd. 24 **Scoreboard Sponsor Panels.** Sponsor panels and other forms of advertising on scoreboards are permitted only at Braemar Park, VanValkenburg Park and Kuhlman Field. Scoreboard sponsor panels and other advertising on scoreboards shall be integral to the scoreboard and shall be constructed of the same materials as the scoreboard.

460.04 Prohibited Signs. The following signs are prohibited in all districts:

A. Non-Accessory Signs.

B. Indecent Signs. Signs containing offensive or indecent symbols, pictures, or written material.

C. Roof Signs.

D. Motion Signs.

E. Portable Signs.

F. Signs, other than Governmental Signs, which are attached to utility poles, street lights or trees.

G. Searchlights or Beacons.

H. Vehicles with Signs. It is the intent of this Subdivision to prohibit the use of a vehicle for the purpose of providing signage. In addition to the requirements imposed by Sections 850 and 1046 of this Code, vehicles bearing signs exceeding two square feet in area must comply with the following restrictions:

1. Such vehicles may not be parked within 50 feet of a public road right-of- way.

2. Such vehicles may not bear a sign constructed of paper, cloth, canvas, wood or other material not integral to the body of the vehicle.

3. Such vehicles may not be parked in a location visible from public streets for periods longer than four hours during any 24 hour period.

I. Neon or fiberoptic light sources which are not within the permitted sign area.

J. Abandoned Signs.

460.05 District Regulations. Subject to provisions of Subsections 460.03 and 460.04, the following building identification signs and area identification signs are permitted in each specific zoning district:

Subd. 1 R-1, R-2, and PRD-1 Districts:

<u>Type</u>	<u>Maximum Number</u>	<u>Maximum Area</u>	<u>Maximum Height</u>
Nameplate or Address	One per dwelling unit	2 sq. ft.	6 ft.
Building Identification (churches, schools, golf courses, public facilities only)			
Wall:	1 per building	24 sq. ft.	N/A
Freestanding:	1 per frontage	36 sq. ft.	8 ft.
Area	One per development	24 sq. ft.	6 ft.
Public Park Identification	One per frontage	24 sq. ft.	6 ft.
SCOREBOARDS:			
A. Field #1 (Courtney Field)	One	400 sq. ft. (including sponsor panels)	20 ft.
B. Van Valkenburg Park, Kuhlman Field and Braemar Park except Field #1 at Courtney Fields	One per field	200 sq. ft. (including sponsor panels)	20 ft.
C. All other public parks, schools and golf courses	One per field	100 sq. ft.	20 ft.
Public park scoreboard sponsor panels and other scoreboard advertising		25% of scoreboard area	

Subd. 2 All Residential Districts Except R-1, R-2, PRD-1 and the Mixed Development District.

<u>Type</u>	<u>Maximum Number</u>	<u>Maximum Area</u>	<u>Maximum Height</u>
Building Identification	One per building	12 sq. ft.	6 ft.
Area Identification	One per development	24 sq. ft.	6 ft.
Building Identification (convalescent, nursing or rest homes only)	One per building	24 sq. ft.	6 ft.

Subd. 3 **Automobile Parking District.**

<u>Type</u>	<u>Maximum Number</u>	<u>Maximum Area</u>	<u>Maximum Height</u>
Identification	One per frontage	6 sq. ft	6 ft

Subd. 4. **PCD-1, PCD-2, PCD-3, and PCD-4 Districts.**

<u>District</u>	<u>Maximum Wall Sign Area</u>	<u>Maximum Number Freestanding Signs</u>	<u>Maximum Area for Freestanding Signs</u>	<u>Maximum Height</u>
PCD-1	15% of wall area	One per building	80 sq. ft.	8 ft.
PCD-2	15% of wall area	One per building	80 sq. ft.	8 ft.
PCD-3	15% of wall area	One per building per frontage	100 sq. ft. for first sign, 50 sq. ft. for each additional sign	20 ft.
PCD-4	20% of wall area	One per building per frontage	80 sq. ft for first sign, 50 sq. ft. for each additional sign	20 ft.

A. Special Provisions

1. Area identification signs shall be included as part of the maximum allowable number of freestanding signs.
2. Signs which are integral to the design of a gasoline pump are permitted.
3. Signs indicating the location of restrooms are permitted.
4. Permanent window signs shall be included as part of the maximum allowable sign area.

Subd. 5 **Regional Medical and Planned Office District.**

<u>Use</u>	<u>Maximum Number Of Building Identification Signs</u>	<u>Maximum Area For Building Identification Signs</u>	<u>Maximum Height</u>
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Buildings four stories or less	One wall sign per building frontage and one freestanding sign per frontage	86 sq. ft. total between the two signs, with no individual sign being greater than 50 sq. ft.	8 ft.
Building more than four stories	One wall sign per building per frontage and one freestanding sign per frontage	120 sq. ft total between the two signs, with no individual sign being greater than 80 sq. ft.	8 ft.

A. Special Provisions. In the Regional Medical District only, one wall sign for each accessory retail use is permitted. Each permitted sign must be attached to the ground floor level and may not exceed 15 percent of the ground floor wall area of the accessory use.

Subd. 6 Planned Industrial District.

<u>Type</u>	<u>Maximum Number</u>	<u>Maximum Area</u>	<u>Maximum Height</u>
Building Identification	One per building	80 sq. ft	8 ft

A. Special Provisions. In multi-tenant buildings only, one wall sign is permitted for each tenant having a private entry. The maximum sign area of each sign is 24 square feet.

Subd. 7 Mixed Development District. It is the intention of this Subdivision to require that all elements of a mixed development be integrated and linked by signs that express a consistent and uniform design theme.

A. Area Identification Signs.

1. MDD-3 and MDD-4. One sign per development for each frontage not to exceed 50 square feet.

2. MDD-5 and MDD-6. One sign per development for each frontage.

a. Sign Area - MDD-5

Maximum area of first sign 70 sq. ft.

Maximum area of additional signs 40 sq. ft.

b. Sign Area - MDD-6

Maximum area of first sign 100 sq. ft.

Maximum area of additional signs 70 sq. ft.

3. Maximum Height - eight feet.

B. Building Identification Signs - Residential. One freestanding sign not to exceed 24 square feet for each building with ten or more dwelling units. One wall sign not to exceed six square feet for each building. Maximum height - eight feet.

C. Intra-Area Directories. One directory per major entry from a public street to a development not to exceed ten square feet. Maximum height - six feet.

D. Accessory Retail Signs. One wall sign for each accessory retail use provided each sign must be attached to the ground floor level and may not exceed 15 percent of the ground floor wall area of the accessory use. All signs shall be individual letters of uniform size, design and materials.

E. Building Identification Signs - Office.

1. MDD-6. One wall sign per building per frontage and one freestanding sign per building per frontage. The maximum area of the first wall sign or freestanding sign shall not exceed 50 square feet and the maximum area of each additional sign shall not exceed 36 square feet. Maximum height - eight feet.

2. MDD-3, MDD-4, and MDD-5. One building identification sign per frontage. The first sign shall not exceed 50 square feet and each additional sign shall not exceed 36 square feet. Maximum height - eight feet.

F. Retail and Publicly Owned Facilities Signs - MDD-6. Signs for retail buildings and publicly owned facilities are permitted in accordance with the PCD-3 District requirements provided in Subsection 460.05, Subd. 4, provided the maximum area of freestanding signs shall not exceed 50 square feet.

G. Publicly Owned Facilities - MDD-3, MDD-4, and MDD-5. Signs for publicly owned facilities in the MDD-3, MDD-4, and MDD-5 Districts are permitted in accordance with Subsection 460.05, Subd. 1.

H. Suites Hotels and Theatres. Signs for suites hotels and theatres are permitted in accordance with the PCD-3 District requirements provided in Subsection 460.05, Subd. 4.

I. Special Requirements - Wall Signs. No wall signs shall be placed on walls of non-residential buildings which directly face, abut or adjoin a public park or residential uses.

J. Special Requirements - Freestanding Signs. All freestanding signs shall be of uniform design and scale.

460.06 Administration and Enforcement.

Subd. 1 **Permits.** Except as provided in Subd. 3 of this Subsection, the owner or occupant of the lot or tract on which a sign is to be displayed, or the owner or installer of such sign, shall file an application for a permit with the Planner upon forms provided by the Planner. Permits must be acquired for all existing, new, relocated, modified or redesigned signs except those specifically exempted below. The applicant shall submit with the application a complete description of the sign and a scaled drawing showing its size, placement, manner of construction, illumination, and such other information as deemed necessary by the Planner. At the time of application the applicant shall also submit a fee in the amount required by Section 185 of this Code. If a sign is erected without a permit, the applicant shall submit an

application for a permit and pay a fee that is two times the fee set out in Section 185. If a sign has not been installed within three months after the date of issuance of said permit, the permit shall become null and void.

Subd. 2 Sign Identification Decal. Upon issuance of a permit, the Planner shall also issue a sign identification decal. The permit holder shall attach the decal to the lower left front surface of the sign. Such decal shall indicate the number of the sign permit.

Subd. 3 Exemptions. The following signs may be erected or displayed without obtaining a permit therefore; provided, however, such signs must comply with all other requirements of this Section:

- A. A temporary window sign placed within a building and not exceeding 25 percent of the window area.
- B. Signs having a total area of six square feet or less.
- C. Governmental signs and signs erected by the Edina Public Schools.
- D. Temporary signs as listed in Subsection 460.03, Subd. 4, 5, 7, and 8.
- E. Memorial signs or tablets less than six square feet in area containing the name of the building, its use and date of erection when cut or built into the walls of the building and constructed of bronze, brass, stone or marble.
- F. Signs which are completely within a building and are not visible from the outside of said building.
- G. Temporary subdivision and rezoning signs, as required by Sections 810 and 850 of this Code.

Subd. 4 Violations and Fines. If the Planner finds that any sign or signs regulated by this Section is or are prohibited as to size, location, content, type, number, height or method of construction, or are unsafe, insecure or a menace to the public, or if any sign has been constructed or erected without a permit first being issued, or is improperly maintained, or is in violation of any other provisions of this Section, the Planner shall give written notice of such violation to the owner or lessee of the sign. If the owner or lessee fails to remove or alter the sign so as to comply with the provisions set forth in this Section within 24 hours following receipt of said notice:

- A. Such sign may be deemed to be a nuisance and may be abated by the City by proceedings taken under M.S. Chapter 429, or any other nuisance abatement procedures allowed by this Code or State Law and the cost of abatement, including administration expenses, may be levied as a special assessment against the property upon which the sign is located; or
- B. Such owner or lessee may be prosecuted under Subsection 100.09 of this Code; and

C. The City may exercise any and all other remedies provided by Subsection 100.09 of this Code.

If the owner or lessee shall have been given notice of a violation hereunder and shall have removed or altered the sign, and shall then re-erect or install a sign which is the same as or similar to the sign as to which notice of violation was given, such re-erection or installation shall be deemed a violation of this Section, and no notice of such violation shall be required.

Subd. 5 Insurance. The owner of any projecting sign shall furnish, with a permit application, proof of self-insurance or that public liability insurance has been procured for any death or personal injury caused by such sign, in amounts not less than \$100,000 for injury to or death of one person, or \$300,000 for any one incident, and of not less than \$50,000 for damage to property arising from any one incident. The owner shall maintain such insurance in effect at all times that the sign remains in place. The owner shall also indemnify and hold the City and the City's officials and employees harmless from any loss, cost, damage and expenses caused by the projecting sign.

Subd. 6 Variances and Appeals. A permit applicant or permit holder may request a variance from the literal provisions of this Section by filing a petition for a variance with the Planner. The petition shall be accompanied by a fee in the amount set forth in Section 185 of this Code. A permit applicant or permit holder also may appeal any alleged error in any order, requirement, decision, or determination made by the Planner in the enforcement of this Section. Appeals shall be filed in the same manner as provided in Subsection 850.04 of this Code. Variances and appeals shall be heard by the Zoning Board of Appeals and decisions of the Board may be appealed to the Council, as provided in said Subsection 850.04 of this Code. The Board shall grant a variance from the provisions of this Section only upon finding that:

A. There are exceptional or extraordinary circumstances applicable to the property or to the intended use that do not apply generally to other property in the same vicinity and zoning district;

B. The variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zoning district, but which is denied to the property in question;

C. That the strict application of this Section would constitute undue hardship as defined in Section 850 of this Code, and

D. That the granting of the variance would not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity or zoning district in which the property is located.

460.07 Non-Conforming Signs.

Subd. 1 **Non-Conforming Temporary Signs.** Any non-conforming temporary sign lawfully existing at the time of adoption of this Section shall be made to comply with the requirements set forth herein or shall be removed within 90 days after the adoption of this Section.

Subd. 2 **Non-Conforming Permanent Signs.** Non-conforming permanent signs shall be allowed to continue in use, but shall not be rebuilt, altered other than to change the message, or relocated without being brought into compliance with the requirements of this Section. After a non-conforming sign has been removed, it shall not be replaced by another non-conforming sign.

Subd. 3 **Non-Conforming Temporary Signs** - South Edina Development Addition. Temporary construction and real estate signs located on Outlot E and Lot 1, Block 4, South Edina Development Addition, may continue to exist subject to the following:

- A. The signs may not be increased in sign area or number of signs.
- B. The signs may not be relocated.
- C. The signs must be removed or brought into conformance with this Section when either of the following occur:
 - 1. A building is constructed on the lot or outlot occupied by the sign; or
 - 2. A building is constructed on the lot or outlot adjacent to the lot or outlot occupied by the sign.

Subd. 4 **Discontinued Non-Conforming Signs.** Whenever use of a non-conforming sign has been discontinued for a period of 90 days, such use shall not thereafter be resumed unless in conformance with the provisions of this Section.

History: Ord 451 codified 1970; amended by Ord 451-A1, 6-10-71; Ord 451-A2, 10-24-74; Ord 451-A3, 9-11-75; Ord 451-A4, 9-8-76; Ord 451-A5, 12-10-86; Ord 451-A6, 10-25-89; Ord 451-A7, 3-28-9; Ord 1993-8, 6-7-9; Ord 1994-7, 7-27-94; Ord 1995-6, 8-17-95; Ord 1998-4, 5-4-98; Ord 2000-1, 2-1-00; Ord 2001-07, 10-3-01; Ord 2007-4, 2-20-07; Ord 2009-06, 04-21-09; Ord 2010-07, 04-06-10; Ord 2011-08, 05-17-2011

Reference: M.S. Chapter 429, M.S. 211B.045

Cross Reference: Sections 185, 810, 850, 1045, Subsections 100.09, 850.04, 850.07